



City of San Antonio

Agenda Memorandum

Agenda Date: December 20, 2022

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 6

SUBJECT:

ZONING CASE Z-2022-10700313 (Associated Plan Amendment PA-2022-11600106)

SUMMARY:

Current Zoning: "R-6" Residential Single-Family District

Requested Zoning: "C-3NA" General Commercial Nonalcoholic Sales District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: December 20, 2022

Case Manager: Elizabeth Steward, Planner

Property Owner: Arturo Lopez

Applicant: Arturo Lopez

Representative: Bobby Herrera

Location: 5679 & 5745 Easterling Drive

Legal Description: 1.3 aces out of NCB 17639

Total Acreage: 1.3

Notices Mailed

Owners of Property within 200 feet: 17

Registered Neighborhood Associations within 200 feet: N/A

Applicable Agencies: Texas Department of Transportation, Planning Department

Property Details

Property History: The property was annexed into the City of San Antonio by Ordinance 59776, dated December 30, 1984 and zoned Temporary “R-1” Single-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned Temporary “R-1” Single-Family Residence District converted to the current “R-6” Residential Single-Family District.

Topography: The property does not include any abnormal physical features such as slope or incursion in a floodplain.

Adjacent Base Zoning and Land Uses

Direction: North

Current Base Zoning: C-2

Current Land Uses: Food Service Establishment and Animal Services

Direction: South

Current Base Zoning: C-3 NA and R-6

Current Land Uses: Vacant and Oversized Vehicle Storage

Direction: East

Current Base Zoning: R-6 and C-3 NA CD

Current Land Uses: Concrete Plant and Car Sales & Auto Tint and Alarm

Direction: West

Current Base Zoning: C-3 NA

Current Land Uses: Church and School

Overlay District Information:

N/A

Special District Information:

N/A

Transportation

Thoroughfare: Easterling Drive

Existing Character: Local

Proposed Changes: None Known

Thoroughfare: Culebra Road

Existing Character: Principal Primary Arterial A

Proposed Changes: None Known

Public Transit: VIA bus routes are within walking distance of the subject property.

Routes Served: 610

Traffic Impact: A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

Parking Information: The minimum parking for a Variety Store is 1 per 300 sf GFA. The minimum parking for a professional office is 1 per 300 sf GFA.

ISSUE:

None

ALTERNATIVES:

Current Zoning: Single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

Proposed Zoning: C-3 districts are intended to provide for more intensive commercial uses than those located within the NC, C-1 or C-2 zoning districts. C-3 uses are typically characterized as regional shopping centers, power centers, and/or assembly of similar uses into a single complex. There are no building size limitations, and building height is limited to 35 feet. Examples of permitted uses: bar/tavern & nightclub, amusement/theme parks, dance hall, indoor movie theater, auto repair, auto sales, auto glass sales (installation permitted), auto muffler (sales and installation only), hotel, bookbinder, dry cleaning or laundry plant, indoor flea market, home improvement center, body piercing/massage/tattoo parlor. No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in 35-510 of the Unified Development Code. C-3NA districts are identical to C-3 districts except that the sale of alcoholic beverages is prohibited.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The property is located within a half mile of the Huebner- Grissom Premium Transit Corridor and is within the Highway 151 and Loop 1604 Regional Center.

RECOMMENDATION:

Staff Analysis and Recommendation: Staff recommends Denial.

Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the Highway 151 and Loop 1604 Regional Center plan and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “C-3 NA” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Regional Mixed Use”. Staff recommends Denial. Planning Commission recommendation is pending the December 14, 2022 hearing.

2. **Adverse Impacts on Neighboring Lands:** Staff does find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is not consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “R-6” Residential Single Family District is an appropriate zoning for the property and surrounding area. The proposed “C-3 NA” General Commercial Nonalcoholic Sales District is not an appropriate zoning for the property and surrounding areas. The request brings in allowed uses of a higher intensity not appropriate against Low intensity church, school, and residential uses. Also the property is located along Easterling Drive, a local street, a commercial property would be unable to obtain an entrance onto that size of street. Additionally, the applicant can achieve their project goals to create commercial suites by rezoning to “C-2” Commercial District which allows professional offices, bakeries and other like retail/service businesses. If the applicant desires to accommodate a use allowed in “C-3” General Commercial, a Conditional Use can be used to accomplish this for one particular use.
4. **Health, Safety and Welfare:** Staff has found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with public policy objectives of the Highway 151 and Loop 1604 Regional Center Plan.
 - Land Use Recommendation #1: Preserve and enhance the character and identity of established neighborhoods. Land use patterns for the Highway 151 and Loop 1604 Area Regional Center preserve the character of established neighborhoods by providing exclusive low-density residential designations in appropriate areas; by concentrating higher intensity uses in designated areas and along major area roadways; and through the use of intermediate-intensity land uses as buffers and transitions between more active areas and residential areas.
 - Land Use Recommendation #2: Encourage efficient density patterns with commercial and mixed-use development at appropriate scales. Mixed-use development is preferred in areas where higher density residential or commercial already exists, or in designated areas near major intersections or transit opportunities. Encourage higher capacity commercial, business, and mixed-uses along highways and major arterials, while designating more local-serving uses to streets nearer to neighborhoods. High density residential development should be encouraged in this regional center. High density residential and vertical mixed-use projects are appropriate for areas with land use designations of Urban Mixed-Use, Regional Mixed-Use, and High Density Residential. In areas designated as Regional Mixed-Use, trip generation will likely be high, therefore transit-supportive uses and transit-oriented development will help to alleviate traffic problems.
 - 20.2.5 Encourage the rehabilitation of abandoned housing and promote neighborhood appropriate infill housing developments on abandoned or vacant lots.
6. **Size of Tract:** The 1.3 acre site is of sufficient size to accommodate the proposed Commercial development.
7. **Other Factors:** The applicant intends to rent out Commercial Suites on the property.

